

DELTA PROTECTION COMMISSION

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To: Delta Protection Commissioners and Interested Parties
From: Margit Aramburu, Executive Director
Subject: Proposed Legislation to Increase Boat Registration Fees
to Fund Marine Patrol Services

Delta Protection Act.

The Delta Protection Act of 1992 directs the Commission to prepare, in consultation with all law enforcement agencies having jurisdiction in the Delta, a strategy for the implementation of a coordinated marine patrol system throughout the Delta which will improve law enforcement and coordinate the use of resources by all jurisdictions to ensure an adequate level of public safety.

Background.

Law enforcement in the Delta is currently carried out by County Sheriffs and the Department of Fish and Game. Over the last few years, and particularly in fiscal year 1993-1994, funding for the Counties' Marine Patrols have been severely cut back or dropped entirely. This has created a huge void in law enforcement in the Delta.

Limited rescue operations have been carried out by civilian volunteers and the Coast Guard. Accidents and emergencies receive land-based service largely from County Sheriffs and other emergency personnel.

Department of Fish and Game personnel carry out their legal responsibilities on Delta waters, which are not oriented to boaters or boater safety.

Proposed Plan of Action.

To reinstate adequate levels of Marine Patrol on Delta waters, a stable financial base must be created. Prop 172 monies are only adequate for restoration of the most critical law enforcement work of the Counties, such as adequate staffing of jails, juvenile facilities, and street patrols. Prop 172 monies will not stretch far enough to restore Marine Patrol funding, but the recent vote of the citizens spoke clearly of the desire of California residents to have adequate law enforcement on land and on the water.

Two pieces of legislation are under consideration to address the needs of County Marine Patrols.

First, legislation to raise boat registration fees from the current \$5.00--\$2.00 goes to Department of Boating and Waterways to distribute to the Counties and \$3.00 goes to the Department of Motor Vehicles for processing of the registration. Current thinking, based on the financial estimates of the Sheriffs to fund Marine Patrols at historic levels, is to raise the total annual registration fee to \$15.00, with the additional money ear-marked solely for County Marine Patrol funding. In addition, registration fees for personal watercraft (jet skis) would rise to \$25.00, with the additional money ear-marked solely for County Marine Patrol Funding. The Sheriffs note that personal watercraft require more staff time.

Second, modify the formula the Department of Boating and Waterways uses to distribute funds to eligible counties. The current formula requires Counties to spend 100% of funds generated from personal property taxes on boats to be spent on boating-related spending before any monies can be received from the DBW fund. For some counties, such as Contra Costa and San Joaquin, it is not economically sensible to participate in the program. However, if the DBW formula were modified to require only a percentage of the taxes to be expended before receiving DBW funds, more Counties could participate.

Staff Recommendation

Staff recommends that the Commission receive public comments on the proposed legislation concepts, and vote to adopt the attached resolution and support proposed legislation which would work with the Delta County law enforcement agencies and the boating community to develop fair legislation to provide dedicated funding for Marine Patrol in the Delta to enhance recreational use of the Delta and to protect public health, safety and welfare.

DRAFT RESOLUTION ON PROPOSED MARINE PATROL FUNDING LEGISLATION

WHEREAS, the Delta is of great importance to the recreational needs of the residents of five Delta Counties and others who wish to visit the Delta, and

WHEREAS, the Delta is also an important source of jobs and income for many residents of five Delta Counties, and

WHEREAS, the peaceful use of the Delta requires that all users abide by existing laws, and

WHEREAS, an increasing number of individuals fail to abide by the law when operating vessels on the waters of the Delta, thereby interfering with the recreational and vocational uses of the Delta, and

WHEREAS, maintaining the peaceful use of the Delta requires that the Sheriffs in the five Delta Counties have adequate financial and personnel resources to properly patrol the Delta and enforce the laws pertaining to the operation of vessels within the Delta, and

WHEREAS, the five Delta Boards of Supervisors have had to reduce funding to the Sheriff's Marine Patrol services to the point that a critical shortage exists and is no longer possible to provide even minimally adequate levels of service to those of our residents who wish to enjoy the proper and sage use of the Delta;

WHEREAS, the Delta Protection Act directs the Commission to develop in consultation with all law enforcement agencies having jurisdiction in the Delta, a strategy for the implementation of a coordinated marine patrol system throughout the Delta which will improve law enforcement and coordinate the use of resources by all jurisdictions to ensure an adequate level of public safety;

NOW THEREFORE BE IT BY THE DELTA PROTECTION COMMISSION RESOLVED THAT:

The Delta Protection Commission agrees to support legislation which would increase the vessel registration fee from the current \$5 to at least \$12, with all of the proceeds of the increased fee being dedicated to the Sheriff's Marine Patrols and related services provided by the five Delta Counties, and

BE IT FURTHER RESOLVED THAT the Delta Protection Commission also agrees to support legislation which would increase the vessel registration fee for personal watercraft (jet skis) from the current \$5 to at least \$25, with all of the proceeds of the increased fee being dedicated to the Sheriff's Marine Patrols of the five Delta Counties, and

BE IT FURTHER RESOLVED THAT the Delta Protection Commission also agrees to sponsor legislation which would provide for a separate funding formula for the expenditure of the vessel registration fee which should go to the five Delta Counties (Sacramento, San Joaquin, Contra Costa, Solano and Yolo), with the funds to be allocated among the five counties according to a formula to be devised by and concurred in by all five counties.